

**EXHIBIT E – HARCO, INC.'S
AFFIDAVITS OF SERVICE AND
WAIVERS OF SERVICE**

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

City of Albany, Georgia

Plaintiff(s)

v.

AmerisourceBergen Drug Corporation, et al.

Defendant(s)

Civil Action No. 1:18-op-46337-DAP

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Harco, Inc.
1200 Intrepid Avenue, 2nd Floor
Philadelphia, PA 19112

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

J. Burton LeBlanc, IV
Baron & Budd, P.C.
3102 Oak Lawn Ave., Suite 1100
Dallas, TX 75219
Email: bleblanc@baronbudd.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

SANDY OPACICH, CLERK OF COURT

Date: 3/21/23

/s/Robert Pitts

Signature of Clerk or Deputy Clerk



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 1:18-op-46337-DAP

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* Harco, Inc. was received by me on *(date)* May 2, 2023 1:59 pm.

☐ I personally served the summons on the individual at *(place)* _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____, a person of suitable age and discretion who resides there, on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Tierney Walker, General Manager, Rite Aid, who is designated by law to accept service of process on behalf of *(name of organization)* Harco, Inc. on *(date)* Wed, May 3, 2023 10:15 am; or

☐ I returned the summons unexecuted because: _____; or

☐ Other: _____; or

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ \$0.00.

I declare under penalty of perjury that this information is true.

Date: 5/10/2023



Server's signature

Gerard B. Carr, Process Server

Printed name and title

P.O. Box 15514, Philadelphia, Pennsylvania 19131

Server's address

Additional information regarding attempted service, etc.:

1) Successful Attempt: May 3, 2023, 10:15 am EDT at 1200 Intrepid Ave 2nd Floor, Philadelphia, PA 19112 received by Tierney Walker, General Manager, Rite Aid.

UNITED STATES DISTRICT COURT

for the
Northern District of Ohio
In re: National Prescription Opiate Litigation

City of Albany, Georgia)	
Plaintiff)	MDL 1:17-md-02804-DAP
v.)	Civil Action No. 1:18-op-46337
)	
AmerisourceBergen Drug Corporation, et al.)	
Defendant)	

WAIVER OF THE SERVICE OF SUMMONS

To: J. Burton LeBlanc, IV
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.


I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

The Court's moratorium on all filings includes a moratorium on the filing of answers or motions under Rule 12. Defendants will not answer or move under Rule 12 unless so ordered by the Court. The failure to file an answer or motion under Rule 12 will not be grounds for a default judgment.

Date: 5/12/2023

Harco, Inc.
Printed name of party waiving service of summons


Signature of the attorney or unrepresented party

John P. Lavelle, Jr.

Printed name

Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921

Address

john.lavelle@morganlewis.com

E-mail address

(215) 963-4824

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

Hancock County, Tennessee

Plaintiff(s)

v.

AmerisourceBergen Drug Corporation, et al.

Defendant(s)

Civil Action No. 1:18-op-45153-DAP

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Harco, Inc.
1200 Intrepid Avenue, 2nd Floor
Philadelphia, PA 19112

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

J. Burton LeBlanc, IV
Baron & Budd, P.C.
3102 Oak Lawn Ave., Suite 1100
Dallas, TX 75219
Email: bleblanc@baronbudd.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

SANDY OPACICH, CLERK OF COURT

Date: 3/21/23

/s/Robert Pitts

Signature of Clerk or Deputy Clerk



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 1:18-op-45153

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* Harco, Inc. was received by me on *(date)* May 2, 2023 1:59 pm.

☐ I personally served the summons on the individual at *(place)* _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____, a person of suitable age and discretion who resides there, on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Tierney Walker, General Manager, Rite Aid, who is designated by law to accept service of process on behalf of *(name of organization)* Harco, Inc. on *(date)* Wed, May 3, 2023 10:15 am; or

☐ I returned the summons unexecuted because: _____; or

☐ Other: _____; or

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ \$0.00.

I declare under penalty of perjury that this information is true.

Date: 5/10/2023



Server's signature

Gerard B. Carr, Process Server

Printed name and title

P.O. Box 15514, Philadelphia, Pennsylvania 19131

Server's address

Additional information regarding attempted service, etc.:

1) Successful Attempt: May 3, 2023, 10:15 am EDT at 1200 Intrepid Ave 2nd Floor, Philadelphia, PA 19112 received by Tierney Walker, General Manager, Rite Aid.

UNITED STATES DISTRICT COURT

for the
Northern District of Ohio
In re: National Prescription Opiate Litigation

Hancock, Tennessee

Plaintiff

v.

AmerisourceBergen Drug Corporation, et al.

Defendant

MDL 1:17-md-02804-DAP

Civil Action No. 1:18-op-45153

WAIVER OF THE SERVICE OF SUMMONS

To: J. Burton LeBlanc, IV

(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

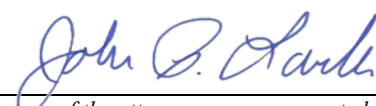
I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

The Court's moratorium on all filings includes a moratorium on the filing of answers or motions under Rule 12. Defendants will not answer or move under Rule 12 unless so ordered by the Court. The failure to file an answer or motion under Rule 12 will not be grounds for a default judgment.

Date: 5/12/2023

Harco, Inc.

Printed name of party waiving service of summons


Signature of the attorney or unrepresented party

John P. Lavelle, Jr.

Printed name

Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921

Address

john.lavelle@morganlewis.com

E-mail address

(215) 963-4824

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

Johnson County, Tennessee

Plaintiff(s)

v.

AmerisourceBergen Drug Corporation, et al.

Defendant(s)

Civil Action No. 1:18-op-45164-DAP

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Harco, Inc.
1200 Intrepid Avenue, 2nd Floor
Philadelphia, PA 19112

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

J. Burton LeBlanc, IV
Baron & Budd, P.C.
3102 Oak Lawn Ave., Suite 1100
Dallas, TX 75219
Email: bleblanc@baronbudd.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

SANDY OPACICH, CLERK OF COURT

Date: 3/21/23

/s/Robert Pitts

Signature of Clerk or Deputy Clerk



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 1:18-op-45164

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* Harco, Inc. was received by me on *(date)* May 2, 2023 1:59 pm.

☐ I personally served the summons on the individual at *(place)* _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____, a person of suitable age and discretion who resides there, on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Tierney Walker, General Manager, Rite Aid, who is designated by law to accept service of process on behalf of *(name of organization)* Harco, Inc. on *(date)* Wed, May 3, 2023 10:15 am; or

☐ I returned the summons unexecuted because: _____; or

☐ Other: _____; or

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ \$0.00.

I declare under penalty of perjury that this information is true.

Date: 5/10/2023



Server's signature

Gerard B. Carr, Process Server

Printed name and title

P.O. Box 15514, Philadelphia, Pennsylvania 19131

Server's address

Additional information regarding attempted service, etc.:

1) Successful Attempt: May 3, 2023, 10:15 am EDT at 1200 Intrepid Ave 2nd Floor, Philadelphia, PA 19112 received by Tierney Walker, General Manager, Rite Aid.

UNITED STATES DISTRICT COURT

for the
Northern District of Ohio
In re: National Prescription Opiate Litigation

Johnson County, Tennessee)	
Plaintiff)	MDL 1:17-md-02804-DAP
v.)	Civil Action No. 1:18-op-45164
)	
AmerisourceBergen Drug Corporation, et al.)	
Defendant)	

WAIVER OF THE SERVICE OF SUMMONS

To: J. Burton LeBlanc, IV
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

The Court's moratorium on all filings includes a moratorium on the filing of answers or motions under Rule 12. Defendants will not answer or move under Rule 12 unless so ordered by the Court. The failure to file an answer or motion under Rule 12 will not be grounds for a default judgment.

Date: 5/12/2023

Harco, Inc.
Printed name of party waiving service of summons

Signature of the attorney or unrepresented party

John P. Lavelle, Jr.

Printed name

Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921

Address

john.lavelle@morganlewis.com

E-mail address

(215) 963-4824

Telephone number

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"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.